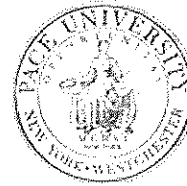




The Environmental Law Society
Elisabeth Haub
School of Law
PACE UNIVERSITY



September 29, 2021

The Hon. Loretta A. Preska
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY

Re: *United States v. Steven Donziger, 19-cr-561 (LAP)*

Dear Judge Preska:

We students and faculty of the Environmental Law Society at the Elisabeth Haub School of Law at Pace University are writing to respectfully request that you sentence Mr. Steven Donziger to time served on October 1, 2021.

This case all started when Mr. Donziger took on a field of work that many attorneys would not: representing some of the most vulnerable members of society. Because of this choice, Mr. Donziger pit himself against one of the largest companies in the world, Chevron, for injuries that the company's pollution caused to the people of Ecuador. Fortunately for the people of Ecuador, they won. However, because of the gravity of Mr. Donziger's work and Chevron's persistence to avoid paying the \$9.5 billion settlement, his battle against the company has lasted for decades. For many aspiring lawyers, this story is inspiring. However, for those same people, Mr. Donziger's story is also a cautionary tale.

As part of Mr. Donziger's case, the Court requested that he provide his phone and laptop that stored sensitive client information during discovery. Instead of exposing his clients' identities, Mr. Donziger chose to go into contempt of court, risking punishment in exchange for his clients' confidentiality. By doing so, Mr. Donziger risked his career for his clients.

As future attorneys, we are expected to understand professional responsibility. When an attorney breaks the rules of professional conduct, a court imposes appropriate sanctions. Going off of precedent, Mr. Donziger believed he would receive backlash from the Court, but not to the extent that he has endured. 90 days is the longest any attorney has been under house arrest for a similar offense as Mr. Donziger. On the day of his sentencing, Mr. Donziger will have far exceeded those 90 days by being on house arrest for 787 days. Now, he is facing up to six months incarceration. From our perspective, Mr. Donziger is not being punished for contempt of court. To us, it seems that Mr. Donziger is being punished for helping his clients sue Chevron and that the Court is criminalizing environmental advocacy. This sentiment is felt strongly by many students at Pace. Our law school has the top environmental law program in the country, and many students attend in hopes of working in environmental advocacy. For many aspiring

lawyers at our school, this case highlights some of the challenges and possible repercussions that environmental lawyers may face in pursuit of protecting the environment and the people impacted by pollution.

Judges have to make difficult decisions often. It is their duty to make tough choices that balance the public's interest with the integrity of the courts and the legal profession. From our perspective, it seems that the Court wants to punish Mr. Donziger and deter others from taking similar actions as him. If the Court has been trying to send a message, it has been heard. Legal professionals and others around the country have heard about this case. To those who have been listening, there is a concern of what precedent this case may set for attorneys who represent the most vulnerable members of society when they go against corporate behemoths. The most vulnerable people are the ones who need attorneys the most, and some attorneys in this area may have to make difficult decisions for their clients. We do not support or condone breaking the rules of professional conduct, but it takes a certain type of person to risk their wellbeing for their clients' wellbeing. Attorneys must respect the court's rules, but it is also important for the court to consider its impact on attorneys and the public.

Although this case impacts many of us, no one has been impacted more than Mr. Donziger. During his legal battle, Mr. Donziger was disbarred and can no longer represent the clients he has worked to protect. The corporation that Mr. Donziger fought against also sued him for millions of dollars. Now, he is on day 787 of house arrest and faces up to six months in jail for a misdemeanor. Mr. Donziger has suffered enough, and it is time that he is let free.

For these foregoing reasons, we respectfully request that Mr. Donziger be sentenced to time served.

Timestamp	Name
9/27/2021 9:29:02	Aric Prazeres
9/27/2021 9:31:03	Carolyn Drell
9/27/2021 10:15:09	Zach Roy
9/27/2021 10:23:38	Alexandra Lao
9/27/2021 10:25:57	Daniel Guarracino
9/27/2021 11:02:09	Logan O'Connell
9/27/2021 12:46:26	Daniel von Staats
9/27/2021 13:27:05	Sara Uzatmaciyan
9/27/2021 14:18:32	Caitlin Boas
9/27/2021 14:55:30	Samantha M. Howard
9/27/2021 18:58:43	Joshua Briggs
9/27/2021 20:13:14	Mariah Bowman
9/27/2021 20:25:59	Kaitlynn Dixon
9/27/2021 21:21:34	Analyse Peña
9/28/2021 0:10:27	Gabriella Mickel (Presider
9/28/2021 7:47:33	Haleigh Catalano
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9/28/2021 21:19:23	Samantha Blend